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April 4, 2022

**By ECF**

Honorable Brian M. Cogan  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Dixon et al. v. de Blasio et al., 21-cv-5090

Your Honor:

This office represents defendants, Mayor Bill de Blasio,<sup>1</sup> in his official capacity as Mayor of the City of New York and the City of New York ("City"), in the above-referenced matter. We write in response to the Court's Order to Show Cause issued on March 28, 2022, directing the parties to show cause why this action should not be dismissed in light of the Court of Appeals having dismissed plaintiffs' appeal of Your Honor's order denying plaintiffs' motion for a preliminary injunction as moot.

Defendants submit that the applications for declaratory and injunctive relief sought by plaintiffs, with regard to the portion of Key to NYC addressing patrons, are now moot as those portions of the Key to NYC program have been repealed by Mayor Eric Adams' Emergency Executive Order No. 50. In any event, the entire action should be dismissed for the reasons set forth in defendants' motion to dismiss (Dkt. No. 24).

Given the Court's order of today granting plaintiffs' request to extend their time to respond to the Court's Order to Show Cause to April 11, 2022, defendants respectfully reserve the right to submit a response to Plaintiffs' opposition to the Court's Order to Show Cause.

Thank you for Your Honor's consideration of this request.

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<sup>1</sup> Bill de Blasio is no longer the Mayor of New York City. As of January 1, 2022, Eric Adams is the Mayor of New York City.

Respectfully submitted,

/s/

Kerri A. Devine and Jasmine Paul  
Assistant Corporation Counsels